

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

United States of America :  
 : Criminal Action No. 95-70 (JLL)  
Plaintiff, :  
v. : **ORDER**  
Omar Torres-Montalvo, :  
Defendant. :

This matter, having come before the Court on Plaintiff's submission of a Motion for Leave to Proceed on Appeal in forma pauperis, and it appearing that:

1. The Court is in receipt of Plaintiff's application to proceed in forma pauperis; and

2. Plaintiff did not submit an affidavit stating the issues that he intends to present on appeal as required by Federal Rule of Appellate Procedure 24(a)(1)(C).

**IT IS**, therefore, on this 19<sup>th</sup> day of August, 2010,

**ORDERED** that Plaintiff's application to proceed in forma pauperis is **denied without prejudice**; and it is further

**ORDERED** that to the extent Plaintiff wishes to re-file his application he shall include an affidavit stating the issues that he intends to present on appeal as required by Federal Rule of Appellate Procedure 24(a)(1)(c).

  
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JOSE L. LINARES,  
UNITED STATES DISTRICT JUDGE